



# House of Representatives

General Assembly

**File No. 253**

*January Session, 2007*

Substitute House Bill No. 7041

*House of Representatives, April 2, 2007*

The Committee on Planning and Development reported through REP. FELTMAN of the 6th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING ZONING ENFORCEMENT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-12a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Any municipality may, by ordinance adopted by its legislative  
4 body, establish penalties for violations of zoning regulations adopted  
5 under section 8-2 or by special act. The ordinance shall establish the  
6 types of violations for which a citation may be issued and the amount  
7 of any fine to be imposed thereby and shall specify the time period for  
8 uncontested payment of fines for any alleged violation under any such  
9 regulation. No fine imposed under the authority of this section may  
10 exceed one hundred fifty dollars for each day a violation continues.  
11 Any fine shall be payable to the treasurer of the municipality.

12 (b) The hearing procedure for any citation issued pursuant to this  
13 section shall be in accordance with section 7-152c except that no zoning

14 enforcement officer, building inspector or employee of the municipal  
15 body exercising zoning authority may be appointed to be a hearing  
16 officer.

17 (c) Any zoning enforcement officer who issues a citation pursuant to  
18 an ordinance adopted under this section shall be liable for [treble]  
19 damages in any civil action if the court finds that such citation was  
20 issued frivolously or without probable cause.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	8-12a

**PD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 08 \$	FY 09 \$
Various Municipalities	Cost Avoidance	Potential	Potential

**Explanation**

The legislation could reduce liability of zoning enforcement officers due to a potential reduction in the amount of damages that could be awarded in a civil action.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis**

**sHB 7041**

***AN ACT CONCERNING ZONING ENFORCEMENT.***

**SUMMARY:**

This bill subjects zoning enforcement officers to single, rather than treble, damages, if the court finds that the officer issued a citation under a local zoning ordinance frivolously or without probable cause.

EFFECTIVE DATE: October 1, 2007

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea    19    Nay   0    (03/14/2007)